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Attorneys for Defendant
WAL-MART ASSOCIATES, INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVE WHEAT, an individual,

Plaintiff,

vs.

WAL-MART ASSOCIATES, INC., a Delaware
Corporation, and DOES 1-10, inclusive,

Defendants.

Case No. 1:22-cv-01524-BAM

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE PRETRIAL
DATES**

Action Filed: October 27, 2022

Trial Date: June 9, 2025

1 Plaintiff STEVE WHEAT (“Plaintiff”) and Defendant WAL-MART ASSOCIATES, INC.
2 (“Defendant”), by and through their counsel, hereby stipulate and agree as follows:

3 WHEREAS, the Parties’ deadline to complete expert discovery is January 17, 2025;

4 WHEREAS, the Parties have not taken the expert depositions of Plaintiff’s expert, Brad
5 Abbott, and Defendant’s expert, Dr. Judy Ho;

6 WHEREAS, the Parties have actively engaged in efforts to identify dates for Plaintiff’s and
7 Defendant’s experts’ depositions, but have been unable to come to a mutually agreed-upon date for
8 either expert in light of the experts’ and counsels’ schedules and due to previously-scheduled travel
9 in light of the holiday season;

10 WHEREAS, Dr. Judy Ho is currently holding January 31, 2025, and February 3, 2025, as
11 her first available dates;

12 WHEREAS, Brad Abbott is currently holding February 4, 2025 as his first available date;

13 WHEREAS, the Parties agree that the interests of justice are best served by a continuance
14 of the Expert Discovery Cutoff so that the Parties have sufficient time to complete these essential
15 depositions;

16 WHEREAS, the Parties are making this request as soon as reasonably practicable once the
17 Parties realized the necessity of the extension based on the availability of the experts and the
18 schedules of counsel;

19 WHEREAS, both Parties will suffer significant prejudice if discovery is not extended,
20 because neither Party will have sufficient time to conduct discovery necessary for trial;

21 WHEREAS, the Parties agree that neither Party will suffer any prejudice if the Court
22 extends discovery as requested;

23 WHEREAS, the Parties agree that the interests of justice are best served by an extension of
24 expert discovery;

25 **THEREFORE**, for the reasons set forth above, good cause exists for an extension of the
26 Expert Discovery Cutoff and Pretrial Motion Filing Deadline set forth in the Court’s September 17,
27 2025 Order (Document 65) solely to take Dr. Judy Ho’s and Mr. Brad Abbott’s deposition. Thus,

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subject to the Court's approval, the Parties stipulate and agree to the proposed revised deadlines below:

Event	Current Date	Proposed Date
Expert Discovery Cutoff Solely to Take the Deposition of Dr. Judy Ho and Mr. Brad Abbott.	January 17, 2025	February 7, 2025
Pretrial Motion Filing Deadline	January 17, 2025	February 14, 2025

IT IS SO STIPULATED.

DATED: January 7, 2025

KING & SIEGEL LLP

By: /s/ Rachael E. Sauer
Julian Burns King
Rachael E. Sauer

Attorneys for Plaintiff STEVE WHEAT

DATED: January 7, 2025

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By: /s/ Haidy M. Rivera
James T. Conley
Haidy M. Rivera

Attorneys for Defendant
WAL-MART ASSOCIATES, INC.

ATTESTATION

Concurrence in the filing of this document has been obtained from the individual whose electronic signature is attributed above.

DATED: January 7, 2025

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By: /s/ Haidy M. Rivera
James T. Conley
Haidy M. Rivera

Attorneys for Defendant
WAL-MART ASSOCIATES, INC.

ORDER

The Court having read and considered the Parties' Joint Stipulation to Continue Pretrial Dates, and good cause appearing:

IT IS HEREBY ORDERED that the pretrial dates shall be as follows:

Event	Current Date	Proposed Date
Expert Discovery Cutoff Solely to Take the Deposition of Dr. Judy Ho and Mr. Brad Abbott.	January 17, 2025	February 7, 2025
Pretrial Motion Filing Deadline	January 17, 2025	February 14, 2025

The Court notes that the Expert Discovery is solely extended for the limited purpose of taking the deposition of Plaintiff's expert, Brad Abbott, and Defendant's expert, Dr. Judy Ho, and not for broader purposes.

IT IS SO ORDERED.

Dated: January 8, 2025

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE